REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the above amendments and the following remarks, is respectfully requested.

Claims 1-16, 18, 30-37 and 39-51 remain pending in this application. Claims 1, 10, and 30-32 have been amended.

In the outstanding Office Action, Claim 1 was objected to; Claims 30 and 31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tahara et al. (WO 00/46989, hereinafter "Tahara"); and Claims 1-16, 18, 32-37, and 39-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tahara further in view of Applicants' background art.[1]

Responsive to the objection to Claim 1, a period has been added at the end thereof. Accordingly, it is respectfully requested that this rejection be reconsidered and withdrawn.

Claim 1 recites, *inter alia*, "... generating ... additional information ... said additional information including a predetermined condition when said time-series information is retrieved; and said management information and said additional information being recorded next to each other in respective predetermined decoding/reproduction units." Claims 10, 30, 31, and 32 recite similar subject matter. It is respectfully submitted that these features are neither disclosed by nor rendered obvious by Tahara or Applicants' background art.

The Office Action asserts:

> the examiner maintains that Tahara teaches management
> information and additional information being in a logical
> position next to each other (see in figure 26 a logical succession
> indicated by the direction of the arrows wherein the schematic
> diagram is a representation of the data structure an MPEG
> encoded stream, and wherein block 242 representing, *inter alia*
> a PTS bit string is followed by block 243 representing an
> ancillary data bit string).

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[1] The Office Action refers to application FIGS. 9A and 9B as Applicants' admitted prior art. However, those figures are described in the specifications as "Background Art".

> it is the examiner's position that figure 15 describes the bit
> string that corresponds to the different data types, and not
> necessarily an encoding order (e.g., see col. 16, line 12 *et seq.*).

Applicants respectfully disagree.

Referring to Tahara U.S. Patent No. 6,671,323 B1 in concert with the Office Action,

U.S. Patent Tahara describes "[s]uch ancillary data includes, but is not limited to, text data,

closed-captioning data, VITC (vertical interval time code) defined by SMPTE RP164, and

LTC (linear time code) defined by RP196." Tahara further describes "the ancillary data

separating circuit 101 extracts the unique information possessed by input video data."

Referring to Fig. 21, cited in the Office Action, Tahara describes in column 16, line 63 to

column 17, line 1:

> Now the syntax of Ancillary_data( ) that adds identifiers to
> ancillary data will be described with reference to FIG. 21.
> Ancillary_data( ), which is inserted as user data in the picture
> layer, includes a field identifier (Field_ID), a line number
> (Line_number), and ancillary data.

Further, Tahara shows the upper most line output from controller 405 in FIG. 31 as

including ancillary data, line number, field ID, time code 1 and time code 2.

The Office Action asserts "the Examiner cannot ascertain the relevance of applicants'

remarks regarding Figure 31 since Figures 31 describes the configuration of the MPEG

decoder which does not perform a recording process." Thus, the Office Action appears to

recognize that Tahara "relates to an encoding system for encoding input video data and a

decoding system for decoding encoded streams"[2] rather than being related to "a recording

process". Thus, with regard to Figs. 1 and 2 and the corresponding specification description

of Tahara, video data is encoded and subsequently decoded before being transmitted to

second video processor 4.[3] Furthermore, the output of the Tahara broadcasting system of

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[2] Column 1, lines 8-10.
[3] See column 2, lines 12-19.

FIG. 4 is either local broadcasting station 171[4] or "the MPEG decoder 170A contained in the

set top box at each household ... and decoded video data is supplied to the TV set."[5] That is,

the disclosure of Tahara "does not perform a recording process" as recognized in the Office

Action.

Responsive to the above statement in the Office Action, the output of controller 405

of decoder 144A shown in FIG. 31 of Tahara is Tahara's description of the data stream

supplied to multiplexer 417. That is the output of the decoder 144A.

Finally, in the output of the upper output line of controller 405 in FIG. 31 Tahara

intermixes auxiliary data with line number, field ID, time code 1 and time code 2. Thus,

there is no description in Tahara that additional information including a predetermined

condition when said time-series information is retrieved being recorded next to management

information for use in a decoding/reproduction process for decoding and reproducing said

time-series information as recited in independent Claims 1, 10 and 30-32.

It is respectfully submitted that the previous Office Actions have misdescribed and

misinterpreted the disclosure of Tahara. FIG. 26 of Tahara is a simplified figure for

understanding of the embodiments. However, the precise data syntax of the user data 240 of

FIG. 26 is shown in FIG. 14 and the Data ID order is shown in FIG. 15. Further, FIG. 21

shows that ancillary data includes Data ID. Tahara states "FIG. 26 is an explanatory drawing

illustrating the data structure of an MPEG encoded stream in an easy-to-understand form

while FIGS. 10-25 describe the *syntax in detail* [emphasis added]."[6] FIG. 15 clearly shows

that bit string 06 Video Index is positioned between bit string 05 Picture Order and bit string

07 Ancillary data. Therefore, Tahara does not describe management information and

additional information being next to each other. Rather, Tahara describes the management

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[4] See column 6, lines 28-36.
[5] Column 6, lines 37-43.
[6] Column 11, lines 52-55.

information and additional information being separated from one another by bit string 06

Video Index.

MPEP § 2131 states "to anticipate a claim, the reference must teach every element of

the claim." The Office Action fails to point out any language in <u>Tahara</u> indicating in any

respect that "figure 15 describes the bit string that corresponds to the different data types, and

not necessarily an encoding order." In particular, there is no statement in <u>Tahara</u> column 16,

line 12 *et seq.* that the order of the bit string shown in FIG. 15 of <u>Tahara</u> is not necessarily an

encoding order. Therefore, there is no description teaching, suggestion, motivation or other

logical reason provided by <u>Tahara</u> in the form of evidence present in the <u>Tahara</u> disclosure to

support the positions described with regard to what is stated in the previous Office Actions.

Rather, the preponderance of evidence in <u>Tahara</u> is that the figures represent the intended

disclosure of <u>Tahara</u>. Any assertions to the contrary in the Office Action must be supported

by evidence in <u>Tahara</u>.

Therefore, <u>Tahara</u> fails to describe additional information including a predetermined

condition when said time series information is retrieved as recited in Claims 1, 10 and 30-32,

and <u>Tahara</u> fails to describe management information and additional information being

recorded next to each other as recited in Claims 1, 10 and 30-32.

It is respectfully submitted that dependent Claims 2-9, 11-16, 18, 33-37 and 39-51 are

patentable at least for the reasons argued above with regard to the claims from which they
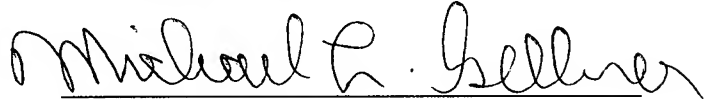
depend.

Accordingly, withdrawal of the rejections of Claims 1-16, 18, 30-37 and 39-51 is

respectfully requested, and allowance of Claims 1-18 and 30-51 is respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed

to be outstanding in the present application and the present application is believed to be in

condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this

application in even better form for allowance, the Examiner is encouraged to contact the

undersigned representative at the below-listed telephone number.

Respectfully submitted,

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